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Dividing and Inclosing the Open and
Common Fields, Common Meadows,
Common Pastures, and other Com-
monable Lands and Grounds in the
Parish of *Woughton on the Green*, in the
County of *Bucks*.

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WHEREAS there are several open and com- Preamble.
mon Fields, common Meadows, common Pas-
tures, and other commonable Lands in the Pa-
rish of *Woughton on the Green*, in the County
of *Bucks*:

And whereas *Thomas Troutbeck*, Clerk, is
Lord of the Manor of *Woughton on the Green*
aforesaid, and Rector of the Parish Church of
Woughton on the Green aforesaid, and Patron of the said Rectory, and
in Right of his said Rectory is seised of and intituled to several Pieces
and

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and Parcels of Arable Land, Meadow and Ley Ground, being Glebe Land, lying within and being Part of the said Fields, and unto the Tythes of Corn, Grain, and Hay arising within the said Fields and Grounds :

And whereas David James, Esquire, George Goodman, Bernard Cheval, Thomas Lucas, William Pinkard, and others, are the Owners and Proprietors of the Residue of the said open and common Fields and commonable Lands lying in the said Parish of *Woughton on the Green* :

And whereas the Lands of the respective Owners and Proprietors in the said common Fields lie intermixed and dispersed in small Parcels, and are most of them inconveniently situate with respect to the Houses of the several Proprietors in *Woughton on the Green* aforesaid, and so long as the said common Fields and commonable Lands lie open and uninclosed, the same are incapable of Improvement, and it would be advantageous to the several Persons interested therein if the same were divided and inclosed ; But as such Division and Inclosure cannot be effectually made and established without the Aid of Parliament ;

May it therefore please Your M A J E S T Y,

That it may be Enacted ; And be it Enacted, by the KING's most Excellent M A J E S T Y, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Job Baseley* of *Priors Marston*, in the County of *Warwick*, *Thomas Harrison* of *Stoney Stratford*, in the County of *Bucks*, and *Robert Kingstone* of *Towcester*, in the County of *Northampton*, Gentlemen, and their Successors, to be elected in Manner herein after-mentioned, shall be and they are hereby appointed Commissioners for dividing, setting out, and allotting the said common Fields, and all the common Pieces and Parcels of Arable, Meadow, Ley, Pasture, and commonable Grounds, comprized within the Parish of *Woughton on the Green* aforesaid, and for putting this Act in Execution, subject to the Rules, Orders, and Directions in and by this Act ordered, appointed, and prescribed.

And be it further Enacted, That no Person shall be capable of acting as a Commissioner in the Execution of the Powers given by this Act (unless it be the Power hereby given of administering Oaths,

Commission-
ers to take an
Oath.



and of giving the First Notice of the Meeting of the Commissioners for putting this Act in Execution) until he shall have taken and subscribed the following Oath, or an Oath to the Effect following :

3 **I** A. B. do swear, That I will faithfully, impartially, and honestly, The Oath.
according to the best of my Skill and Judgment, hear and determine all such Matters and Things as shall be brought before me as a Commissioner, by virtue of an Act " for dividing and inclosing the " open and common Fields, common Meadows, common Pastures, " and other commonable Lands and Grounds in the Parish of Woughton " on the Green, in the County of Bucks," without Favour or Affec- tion to any Person whatsoever :

Which Oath it shall and may be lawful for any One of the said Commissioners to administer, and he is hereby required to administer the same to any other of the said Commissioners; and the said Oath, so taken and subscribed by each Commissioner, shall be inrolled in the same Place and at the same Time as the Award or Instrument of Allotment made by the said Commissioners is in and by this Act directed to be inrolled.

And, for the more just and regular Division and Distribution of the said common Fields, common Grounds, and commonable Lands Survey to be made, so to be divided and inclosed as aforesaid, and for the better ascertaining the same; **Be it further Enacted**, That the said Commissioners, or any Two of them, shall, as soon as conveniently may be after the Passing of this Act, cause a true and perfect Survey and Admeasurement, both as to Quantity and Quality, to be made of the said common
 4 Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed as aforesaid, by such Person or Persons as they shall for that Purpose nominate or appoint; and that such Survey and Admeasurement shall be reduced into Writing, and the Number and Value of Acres, Roods, and Perches belonging to each Proprietor therein shall be set forth, ascertained, and declared; and the said Survey shall be laid before the said Commissioners, or any Two of them, and laid before the Commis- sioners. at One of their Meetings to be held in pursuance of this Act, to be by them kept for the Purposes of this Act.

And be it further Enacted, That if any Dispute or Difference Commission- ers to deter- mine Dis- putes between the Parties. shall arise between any of the Parties interested in the said Division and Inclosure, touching or concerning the respective Rights and Interests which they or any of them now have or claim to have in the said common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed, it shall and may be lawful to and for the said Commissioners, or any Two of them, and they are hereby required, by Examination of Witnesses upon Oath

Oath (which Oath the said Commissioners, or any Two of them, are hereby authorized to administer) and upon other proper Evidence, Enquiry, and Satisfaction, to hear and finally determine the same.

Commissioners to allot the Lands to the Parties interested, and not to give undue Preference.

And be it further Enacted, That the said Commissioners, or any Two of them, shall have full Power and Authority, and they are hereby authorized and required, as soon as conveniently may be after the said Survey shall have been laid before them, to set out, ascertain, 5 and allot the said common Fields, common Grounds, and commonable Lands unto and amongst the several Persons intitled to Lands, Tythes, Commons, and Common Right as aforesaid, as near as conveniently may be to their respective Dwellings or Messuages, and in Proportion to their respective Interests and Right of Common in the said common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed as aforesaid, having a due Regard to the Situation and Convenience as well as to the Quantity and Quality of the Lands and Grounds of the several Parties to or for whom the same shall be assigned or allotted.

Allotment to the Rector.

And be it further Enacted, That the said Commissioners, or any Two of them, shall allot, set out, and award unto and for the said *Thomas Troutbeck* and his Successors, Rectors of the Parish Church of *Woughton on the Green* aforesaid, such Plot or Plots, Parcel or Parcels of the Lands and Grounds lying within and being Parcel of the said common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed, as in the Judgment of the said Commissioners shall be a full Equivalent, Satisfaction, and Compensation (Quantity and Quality considered) for his Glebe Lands and Common Right thereto belonging; and also shall set out, allot, and award unto and for the said *Thomas Troutbeck* and his Successors, Rectors of the Parish Church of *Woughton on the Green* aforesaid 6 (exclusive of the Lands and Grounds so to be allotted to him in Lieu of and Compensation for the said Glebe Lands belonging to the said Rectory as aforesaid) One or more Plot or Plots of Land or Ground, lying within and being Parcel of the said common Fields, common Meadows, common Pastures, and other commonable Lands and Grounds hereby intended to be divided and inclosed as aforesaid, and which shall contain together One Seventh Part (Quantity as well as Quality considered) of all the said common Fields, common Meadows, common Pastures, and other commonable Lands and Grounds herein before directed and appointed to be set out, divided, and inclosed (except the said Glebe Lands); and that such Plot or Plots, Parcel or Parcels of Lands and Grounds, which shall be as aforesaid set out, and allotted to and for the said *Thomas Troutbeck* and his Successors, Rectors of the said Parish Church of *Woughton on the Green*, shall be in Lieu of, and

and full Satisfaction and Compensation for, all the Glebe Lands and Right of Common belonging to the said Rectory, and also in Lieu of, and full Compensation and Satisfaction for, all Great and Small Tythes, and all Moduses whatsoever, to which he is now intitled, and which of Right are annually arising, or that could or might arise out of the said open and common Fields, common Meadows, common Pastures, and other commonable Lands and Grounds hereby intended to be divided and inclosed.

- 7 **And be it further Enacted,** That the said Plots or Parcels of Land and Ground so to be allotted and set out to and for the said *Thomas Troutbeck* and his Successors, Rectors of *Woughton on the Green* aforesaid, shall be inclosed round by a Quickset Hedge and Ditch, or other proper Mound made or to be made on the opposite Side of the next adjoining Plots or Allotments, by and at the Expence of such of the other Proprietors, and in such Manner and within such a Time as the said Commissioners, or any Two of them, shall for that Purpose by Writing under their Hands and Seals direct and appoint.
- Allotment to
the Rector to
be out-fenced.

- And be it further Enacted,** That it shall and may be lawful to and for the said *Thomas Troutbeck* and his Successors, Rectors of the Rectory of *Woughton on the Green* aforesaid, by and with the Consent and Approbation of the Bishop of *Lincoln* for the Time being, by any Writing or Writings under their respective Hands and Seals, to lease or demise all or any Part or Parts of the Allotment or Allotments to be set out unto and for him and them, Rectors as aforesaid, by virtue of this Act, to any Person or Persons whomsoever, for any Term or Number of Years not exceeding Twenty-one Years, without taking any Fine or Fines for any such Lease or Leases, and so as the same shall commence within Six Calendar Months next after the Execution of the Award or Instrument directed to be made by this Act, and so as every such Lease or
- 8 Leases be not made without Impeachment of Waste, and so as the Lessee or Lessees to whom such Lease or Leases be made be yearly obliged to spend, spread, and consume in an husband-like Manner in and upon the Premises so to be demised the Dung, Muck, and Manure arising and to arise out of and from the Product thereof, and so as there be contained in every such Lease or Leases Clauses of Re-entry on Non-payment of the Rent or Rents to be therein and thereby reserved, and so as the respective Lessee or Lessees to whom such Lease or Leases shall be made do seal, execute, and deliver a Counterpart of every such Lease or Leases; and every such Lease or Leases so to be made shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever; any Law, Statute, or Usage to the contrary notwithstanding.
- Rector may
lease his
Allotment.

By whom the
Rector's Pen-
ces to be made
and sup-
ported.

Provided nevertheless, That if the said Plots or Parcels of Ground, or any Part or Parts of them, so to be allotted and set out unto and for the said *Thomas Troutbeck* and his Successors, Rectors of *Woughton on the Green* aforesaid, shall adjoin to and abut upon any ancient publick Highway leading through the said open and common Fields, or any Part thereof, then and in such Case the said Plots or Parcels of Ground, or any Part or Parts of them, shall be inclosed, and out-fenced with Ditches and Quickset Hedges, by and at the Expence of the several Proprietors of the said open and common Fields, common Grounds, and commonable Lands (save and except the said *Thomas Troutbeck* and his Successors) as the said Commissioners, or any Two of them, shall award and direct; and shall be maintained, supported, and preserved, during the Space of Seven Years, by and at the Expence of the several Proprietors of the said open and common Fields, common Grounds, and commonable Lands (except the said *Thomas Troutbeck* and his Successors) in such Shares and Proportions as the said Commissioners, or any Two of them, shall award and order; and that from and after the Expiration of the said Term of Seven Years the said Hedges, Ditches, and other Fences, which shall be so made as aforesaid for the said *Thomas Troutbeck*, shall be preserved and maintained by and at the Expence of the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid, for ever:

Allotments to
the Rector in
lieu of Tythes
of ancient In-
closures.

And whereas there are several Gardens, Orchards, Homecloses, and antient Inclosures within the Parish of *Woughton on the Green* aforesaid, out of which the said *Thomas Troutbeck*, in Right of his Rectory as aforesaid, has a Right of Tythes; **Be it therefore further Enacted,** That the said Commissioners, or any Two of them, shall and may and they are hereby authorized and required to assign, allot, and appoint unto and for the said *Thomas Troutbeck* and his Successors, Rectors of the Parish Church of *Woughton on the Green* aforesaid, such Part or Parcel of the said old Inclosures, or such Part and Parcel of the Lands and Grounds to be in pursuance of this Act 10 allotted respectively to the Owners and Proprietors of the said antient Gardens, Orchards, Homecloses, and antient Inclosures, as the said Commissioners, or any Two of them, shall judge to be an Equivalent and Satisfaction for such Tythes; and that from and after such Allotments shall be made, the said antient Gardens, Orchards, Homecloses, and antient Inclosures shall be and remain for ever discharged of and from the Payment of all Tythes and Payments for and in the Name of Tythes now due and payable for, out of, or in respect of the same as aforesaid; and all the Messuages, Cottages, or Tenements, Gardens, Orchards, Homecloses, and antient Inclosures in the said Parish of *Woughton on the Green*, belonging to the Owners and Proprietors thereof, who have no Land or Grounds, or

Right

Right of Common in the said common Fields, common Meadows, common Pastures, and commonable Lands and Grounds, shall remain subject and liable to the Payment of Tythes, in the same Manner as before the Passing of this Act.

Provided always, That nothing in this Act contained shall lessen, prejudice, or defeat the Right of the said Rector or his Successors, Rectors as aforesaid, to all or any of the *Easter* Offerings or Surplice Fees whatsoever arising within the Parish of *Woughton on the Green* aforesaid, but that the same and every of them shall remain due and payable to the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid, in the same Manner as before the Passing of this Act. Saving of Right to Surplice Fees.

And be it further Enacted, That the said Commissioners, or any Two of them, shall and may and they are hereby authorized and required to ascertain, set out, and appoint both publick and private Roads and Ways through the new Inclosures and Allotments so to be made as aforesaid, with the Assize and Breadth thereof, so as all such publick Roads and Ways shall be and remain Sixty Feet broad at least between the Ditches (except Bridle or Foot-ways, in case any such shall be set out by the said Commissioners); which said publick Roads and Ways shall at all Times for ever thereafter be repaired and kept in Repair in such Manner as the old Roads and Ways were repaired and kept in Repair before the Passing of this Act, and as by the Laws of this Realm the same ought to be kept in Repair: And that after the setting out and appointing such new Roads and Ways it shall not be lawful for any Person or Persons to use any Roads or Ways, either publick or private, over or through the said Fields, Lands, and Grounds, on Foot, or with Horses, Cattle, or Carriages, other than and except such Roads and Ways as shall be so set out and appointed by the said Commissioners as aforesaid; and all the former Roads and Ways which shall not be so set out and appointed, shall be deemed Part of the Lands to be inclosed, and shall be divided and allotted accordingly as Part of such Lands: And also that it shall and may be lawful to and for all and every the present or future Proprietors of the new Inclosures to be made in pursuance of this Act, from the Time of making the said Inclosure, to erect or set up any Swing-gate or Gates, and no other Sort or Kind of Gate or Gates across any of the publick Roads or Ways which shall be awarded through or over his, her, or their Allotment or Allotments, so as the said Proprietors do and shall, and they are hereby required, before any such Gate or Gates shall be so erected and set up, at his, her, and their own Costs and Charges, to make and lay where necessary good covered Drains, Soughs, or Bridges over or across the Passage, and well and sufficiently repair the Way or Road leading through such Gate or Gates, and shall also from time to time, and at all Commissioners to set out Roads.

all Times thereafter, maintain and keep the said Drains, Songhs, or Bridges, and as well the Passage for Water to run under, as the Passage or Road leading through such Gates in good Repair; and in Default either of erecting or setting up such Swing-gate or Gates, and of well and sufficiently repairing and also keeping in Repair the Way or Road leading through such Gate or Gates, it shall and may be lawful for any One or more of his Majesty's Justices of the Peace in and for the County of *Bucks*, not interested in the said intended Inclosure, upon Complaint made to him or them by the Surveyor or Surveyors of the Highways for the Time being of the said Parish of such 13 Default, by Warrant under his or their Hand and Seal or Hands and Seals, to summon the Occupier or Occupiers of the Lands and Grounds upon which such Default shall be made, and to make such Order concerning such Complaint as shall in the Discretion of the said Justice or Justices be thought fit and reasonable; and in case such Occupier or Occupiers shall refuse or neglect to obey such Order, after Notice being given to him or them thereof, that then, upon a fair Estimate being made of the Expence of setting up such Gate or Gates, or repairing the Way or Road leading through such Gate or Gates, the same shall be levied by Warrant from the said Justice or Justices, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting as aforesaid, together with the Charges of such Distress and Sale, returning the Overplus (if any) to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Power for
the Surveyors
to dig for
Stones, &c.

And be it further Enacted, That it shall and may be lawful to and for the Surveyors of the Highways of the said Parish of *Woughton on the Green* for the Time being, to enter into and upon the several Allotments, Lands, or Grounds of any Person or Persons hereby directed to be divided and inclosed as aforesaid, and where any Stones, or Gravel, Sand, or other Materials are likely to be found, to search for, dig, take, and carry away, or cause to be searched for, digged, 14 taken, and carried away, any Quantity or Quantities of such Stones, Gravel, Sand, or other Materials out of, from, and over any of the said Allotments, or the Lands or Grounds hereby intended to be divided and inclosed, not being the Ground where any Dwelling House stands, or a Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or Ground planted with an Avenue of Trees for the Ornament of any House, to be used, disposed of, and applied in and towards the repairing and amending the publick Highways and Roads in the Parish of *Woughton on the Green* aforesaid, the said Surveyors of the Highways having first an Order for that Purpose under the Hands of Two of his Majesty's Justices of the Peace of and for the said County of *Bucks*, not interested in the said intended Division and Inclosure; and the said Surveyors shall pay to the respective Owners or Occupiers of such Allot-

Allotments, Lands, or Grounds, such Damages for the searching, digging, and taking away the said Materials, as any Two of his Majesty's Justices of the Peace of and for the said County of *Bucks*, not interested therein, shall under their Hands and Seals think reasonable; and also shall, as nearly as they the said Surveyors conveniently can, fill up the Pits and level the Ground from which such Materials shall be so digged, taken, and carried away, or cause the same to be done,
 15 or otherwise make reasonable Satisfaction for such Neglect or Default.

And be it further Enacted, That the said Commissioners, or any Two of them, shall and they are hereby impowered to direct, order, and award, that all or any of the Springs of Water in the said open and common Fields, common Grounds, and commonable Lands, shall be carried and conveyed in such Courses, and through such Lands and Grounds, Parcel of the Lands and Grounds hereby intended to be divided and inclosed, as they in their Discretion shall think proper. Commissioners may direct Water-courses.

And, for preventing all Differences and Disputes relating to the Division and Inclosure aforesaid, **It is hereby further Enacted**, Award to be drawn up. That as soon as conveniently may be after the said Commissioners shall have completed and finished the Partitions and Allotments of the said open and common Fields, common Pastures, and commonable Lands, hereby intended to be divided and inclosed as aforesaid, pursuant to the Purport and Direction of this Act, the said Commissioners, or any Two of them, shall form and draw up, or cause to be formed and drawn up, an Award or Instrument thereof in Writing, which shall express and contain the Quantity in Statute-measure of Acres, Roods, and Perches contained in the said common Fields, common Pastures, and commonable Lands so intended to be divided and inclosed as aforesaid, and the Quantity of each and every Part and Parcel thereof which shall be assigned and allotted to each of the Parties intitled to, and interested in the same, and a Description of the
 16 Situation, Buttals, and Boundaries of the same Parcels and Allotments respectively, and proper Orders and Directions for fencing and mounding the same, and for keeping the said Mounds and Fences in Repair, and also for laying out and making proper Roads, Ways, and Passages in and through the same Premises; and also shall express and contain such other Orders and Regulations as shall be proper and necessary to be inserted, conformable to the Tenor and Purport of this Act; which Award or Instrument shall be fairly ingrossed in Two Parts, and written on Parchment, and signed and sealed by the said Commissioners, or any Two of them, and One Part thereof shall, within a convenient Time after the same shall be signed and sealed as aforesaid, be inrolled in One of his Majesty's Courts of Record at *Westminster*,
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minister, or by the Clerk of the Peace in and for the said County of Bucks, who is hereby required to receive and inrol the same; and the other Part of the said Award or Instrument shall be kept in the Chest belonging to the Parish of *Woughton on the Green*, which is in the Church of the said Parish, for the Benefit of the said Rector and Parishioners of the said Parish for the Time being, to the end Recourse may be had to the said Award or Instrument by any Person or Persons interested in the said intended Division and Inclosure; for the Inspection and Perusal of the Part of the Award or Instrument inrolled the Sum of One Shilling shall be paid, and no more; and a true Copy of the Whole, or any Part or Parts thereof, whenever and so often as the same shall be required, shall be delivered to any Person or Persons interested in the said intended Inclosure, signed by the Clerk of the Peace, or other proper Officer, purporting the same to be a true Copy (for which no more shall be paid than Two Pence *per* Sheet, each Sheet containing Seventy-two Words, and so in Proportion for any Number of Sheets or Words); which Copy, as also the original Award or Instrument, shall be, and each of them shall from time to time and at all Times thereafter be, admitted and allowed in all Courts whatsoever as legal Evidence of the same; and the several Allotments, Partitions, and Divisions, so made by the said Commissioners, or any Two of them, by such Award or Instrument, shall be and are hereby declared to be binding and conclusive unto and upon all and every the several Parties interested in and intitled to the several and respective Grounds, Lands, and Premises so intended to be divided and inclosed as aforesaid.

Allotments to
be held in
lieu of former
Rights.

And be it further Enacted, That the several Lands and Grounds to be divided, assigned, and allotted unto and for the several Persons who by virtue of this Act shall be intitled to the same, shall be in Bar of, and in full Satisfaction and Compensation for, their several and respective Lands, Arable Grounds, Meadows, Pieces and Parcels of Arable, Ley, and Pasture Ground, which before the Passing of this Act were and are lying in the said open and common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed as aforesaid; and also in full Bar of, and in Satisfaction and Compensation for, their several and respective Rights of Common, and other Rights and Properties, in, over, and upon the said open and common Fields, common Pastures, and commonable Places hereby intended to be divided and inclosed as aforesaid; and that from and immediately after the making the said Division and Allotments, and Execution of the said Award or Instrument, of such Tenor and Purport as afore-mentioned, all Right of Common belonging to or claimed by all and every the said Owners and Proprietors or Occupiers of Lands, Grounds, or other Hereditaments in, over, and upon the said open

and common Fields, common Pastures, commonable Places, and every Part thereof, hereby intended to be divided and inclosed, shall cease, determine, and be for ever extinguished; and that from and after the Execution of the said Award or Instrument, of such Tenor and Purport as before-mentioned, the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid, and his and their Tenant or Tenants for the Time being, shall be for ever exempt and freed from the Charge of keeping a Bull and a Boar for the Use of the Inhabitants of the 19 Manor and Parish of *Woughton on the Green* aforesaid; any Usage or Custom to the contrary notwithstanding.

And be it further Enacted, That all and every Person and Persons, intituled to any Allotment or Allotments to be made as aforesaid, shall and is and are hereby required to accept such Allotment or Allotments, within the Space of Twelve Calendar Months next after the Execution of the said Award or Instrument, and Notice given in the Parish Church of *Woughton on the Green* aforesaid on a *Sunday* immediately after Divine Service, and also Notice in Writing affixed on the Door of the said Church for that Purpose, signed by the said Commissioners, or any Two of them; which Notice the said Commissioners, or any Two of them, are hereby required to cause to be so given; and every Person who shall neglect or refuse to accept any such Allotment or Allotments within the Time before-mentioned, shall be totally excluded from having or receiving any Estate, Interest, Tythes, or Right of Common whatsoever in, to, or upon any of the Lands and Grounds allotted to any other Person or Persons by virtue of this Act.

Allotments to be accepted within a certain Time.

Provided always, That the Guardians, Husbands, Trustees, Committees, or Attornies of any Person or Persons being Minors, or otherwise incapable by Law to accept any such Allotment or Allotments, shall be and are hereby required to accept thereof for the Use of such 20 Person or Persons; and also that any Person or Persons intituled to any Allotment or Allotments, as Tenant or Tenants for Life or Lives, shall be and is and are hereby respectively enabled to take and accept of such Allotment or Allotments; and every such Acceptance respectively shall be and is hereby declared to be valid and effectual; any Thing herein contained to the contrary notwithstanding.

Guardians, &c. to accept for Persons incapable.

Provided also, That the Non-claim or Non-acceptance of any Guardian, Husband, Trustee, or Committee shall not exclude or prejudice the Claim or Acceptance of any Minor, or other Person under any Incapacity as aforesaid, who shall claim or accept within Twelve Calendar Months after such Incapacity shall be removed; or of any Person or Persons intituled as Heir or in Remainder after the Death of any Person dying under such Incapacity, who shall claim or accept within

But their not accepting shall not prejudice their Claim.

within Twelve Calendar Months after his, her, or their Right or Interest shall have accrued, or be known to have accrued.

Inclosures to be made within 12 Calendar Months after the Award signed.

And be it further Enacted, That when the said open and common Fields, common Grounds, and commonable Lands, directed by this Act to be divided and inclosed, shall be set out, ascertained, and allotted by the said Commissioners, or any Two of them, by their Award, Instrument, or Writing, as herein before mentioned, the several Parcels of Lands and Grounds, so to be allotted and set out respectively, shall, within Twelve Calendar Months next after the Signing the said Award, Instrument, or Writing, or within any other less Time to be appointed by the said Commissioners, or any Two of them, be inclosed, hedged, ditched, and fenced at the proper Costs and Charges of the respective Persons to whom the same shall be respectively assigned and allotted (except the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid) in such Manner as the said Commissioners, or any Two of them, shall in their Award order and direct. 21

What is to be done if Persons omit to fence their Allotments.

And be it further Enacted, That if any Person or Persons (except the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid) shall refuse, neglect, or omit, within Twelve Calendar Months next after the Signing and Sealing the said Award, Instrument, or Writing as aforesaid, or within any less Time to be appointed by the said Commissioners, or any Two of them, to inclose, hedge, and fence the several Parcels of Lands and Grounds so to be assigned, allotted, and set out to and for him, her, or them respectively as aforesaid, in such Manner and Sort as the said Commissioners, or any Two of them, shall in their Award order and appoint, it shall and may be lawful to and for the Person or Persons interested in the Lands and Grounds next adjoining to the Lands and Grounds of the Person and Persons so neglecting, omitting, or refusing as aforesaid, to exhibit a Complaint in Writing against such Person or Persons before One or more of his Majesty's Justices of the Peace of and for the said County of *Bucks*, not being interested in the Lands and Grounds so to be inclosed, hedged, and fenced as aforesaid, who may summon the Parties concerned, examine into the Nature of the Complaint, and examine all proper Witnesses upon Oath; and after such Summons and Examinations shall be so taken, shall and may, if he and they shall see Cause for so doing, order, direct, and appoint the Person or Persons exhibiting such Complaint as aforesaid to make, repair, and maintain the Hedges, Ditches, and Fences of the Person or Persons so neglecting or refusing as aforesaid; and also shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, directed to the Person or Persons exhibiting such Complaint as aforesaid, cause the Charges and Expences of the making, repairing, and maintaining the Hedges, Ditches, and 22

and Fences of the Person or Persons so neglecting or refusing as aforesaid (Demand being first made thereof) to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of taking and making such Distress or Distresses and selling the same; or otherwise shall and may, by any Writing under his or their Hand and Seal or Hands and Seals, authorize and empower the Person or Persons, exhibiting such Complaint as aforesaid, to enter into and upon the Premises so to be allotted to such Person or Persons refusing to pay as aforesaid, and to take and receive the Rents and Profits thereof respectively, until thereby or therewith the Charges and Expences of making, repairing, and maintaining the Hedges, Ditches, and Fences of the Person or Persons so neglecting or refusing as aforesaid, and also all Costs, Charges, and Expences occasioned by or attending such Entry upon and Perception of the Rents and Profits of the same Premises, shall respectively be fully paid and satisfied.

Provided nevertheless, That in case through the Necessity of Situation, or any other unavoidable Circumstance, it shall so happen that any One or more of the said Proprietors shall not have an equal and proportionable Share of Boundary Mounds and Fences allowed to him, her, or them on the said intended Division and Inclosure, it shall and may be lawful to and for the said Commissioners, or any Two of them, where they shall think it necessary and reasonable, to award, order, and appoint what Sum or Sums of Money such Proprietor or Proprietors shall respectively pay and contribute towards making the Mounds and Fences of such other Proprietor or Proprietors who may have too great a Proportion of Mounding, according to the Value and Quantity of the Lands and Grounds allotted to him, her, or them by virtue of this Act, so as the said Boundaries, Mounds, and Fences may be reduced and brought to a just and equal Proportion: And in case the Sum or Sums of Money to be paid by them or any of them towards reducing the Boundaries, Mounds, and Fences to a just and equal Proportion, shall not be paid within such Time and in such Manner as the said Commissioners, or any Two of them, shall order and direct, the Money so ordered and directed to be paid shall be raised, levied, and recovered in such Manner as the other Expences of this Act are herein after ordered and directed to be raised, levied, and recovered.

Proviso in respect to the Allotment of Boundaries.

And be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to compel or oblige any of the said Proprietors, whose Allotments or Shares upon the said intended Inclosure shall lie and be situated next and adjoining to any common Field,

Proprietors not obliged to fence against common Fields.

Field, or other inclosed Lands, Woods, or Grounds whereon there is now standing, being, or growing any sufficient Mound or Fence, Brook or Brooks, Rivulet or Rivulets, to make or plant any Hedges, Ditches, or other Fences next or adjoining to such common Fields, or inclosed Lands, Woods, or Grounds, for the inclosing of such their Allotments or Shares; but that the ancient Brook or Brooks, Rivulet or Rivulets, or other sufficient Fences which divide such common Fields, or inclosed Lands, Woods, or Grounds from such Allotments to be made in pursuance of this Act, shall for ever be and remain a Boundary and Fence for the Purpose of such Division; and shall from time to time be cleansed, scoured, and repaired at the Costs and Charges of the respective Proprietors of such common Fields, inclosed Lands, Woods, Grounds, or Brooks; and that the Hedges and Ditches, Brooks, and other Fences belonging to such inclosed Lands, Woods, and Grounds respectively, shall always be maintained and repaired by the respective Proprietors thereof, in the same Manner as before the Passing of this Act; any Thing herein contained to the contrary notwithstanding.

Proprietors to
set up Gates
against Free-
boards.

And be it further Enacted, That where any Parcel or Parcels of Land, so to be allotted and inclosed as aforesaid, shall abut or adjoin upon any Freeboard or Freeboards belonging to any Proprietor or Proprietors of any common Field or inclosed Land next adjoining to the several Lands and Grounds hereby intended to be divided and inclosed, the Person and Persons to whom such Parcel or Parcels of Land shall be allotted shall and may and they are hereby empowered to set up and erect Gates, or any other Kind of Fence or Fences, in, over, or upon such Freeboard or Freeboards, for the raising and preserving the Quicksets, Banks, and other the Fences to be raised upon such Parcel or Parcels of Land, until such Time as the Owner or Owners of such Freeboard or Freeboards shall sufficiently and at his own Expence have ditched, fenced, and mounded out the same Freeboard or Freeboards from the said Parcel of Land adjoining thereto.

Herbage of
Roads to go
Proprietors of
Allotments.

And be it further Enacted, That after such intended Division and Inclosure shall be made, all and every Person and Persons to whom any Allotment shall be made of any Lands through which any of the said publick Roads or Highways so to remain or be set out and appointed as aforesaid shall lead, shall and may at all Times thereafter rake and enjoy the Grass and Herbage growing and renewing on such Part or Parts of the said Roads and Highways as shall next adjoin to their said Allotments respectively, to and for his, her, and their sole Use and Benefit, exclusive of all other Persons whomsoever.

Proprietors
may enter
Allotments
and cut down
Trees.

And be it further Enacted, That in case any Lands or Grounds upon which any Trees, Underwoods, Thorns, Hedges, Bushes, Furzes, or Shrubs shall at the Time of making such Allotments be standing and

and growing, shall be allotted and assigned to any Person or Persons, other than such as was or were the Proprietor or Proprietors thereof respectively at or immediately before the making such Allotments, and such Trees, Hedges, Thorns, Bushes, Furzes, and Shrubs shall not
26 be assigned and allotted by the said Commissioners, or any Two of them, in Manner herein after directed; then and in such Case it shall and may be lawful to and for such Owners and Proprietors thereof respectively, at any seasonable Time or Times within the Space of Six Calendar Months next after the Execution of the Award or Instrument herein before mentioned, to enter into the Lands and Grounds upon which such Trees, Underwoods, Thorns, Hedges, Bushes, Furzes, or Shrubs shall be standing and being, and to fell and cut down, and with Carriages to carry away the same, at his and their Wills and Pleasure, and to and for his and their own proper Use and Benefit.

Provided always, That if any such Hedges or Fences now standing upon the said Premises shall be assigned and appointed by the said Commissioners, or any Two of them, as or for a Boundary or Fence for any of the new Inclosures or Allotments so intended to be made as aforesaid, all such Hedges or Fences shall be left for the Benefit of such Person or Persons to whom such new Inclosures shall belong by virtue of this Act, he, she, or they making such Allowance and Consideration to the former Owners and Proprietors of such Hedges or Fences respectively, as the said Commissioners, or any Two of them, shall value and appraise, or shall cause the same to be valued and
27 appraised at, or shall by any Writing or Writings under their Hands in that Behalf order and appoint.

Unless left
for a Boundary
or Fence.

And be it further Enacted, That after the Passing of this Act no Hedges, Thorns, Bushes, Shrubs, nor the Bodies of any of the Thorn Trees growing upon the Lands so intended to be divided and inclosed, shall be cut down and destroyed by the Proprietors thereof, without an Order from the said Commissioners, or any Two of them, in Writing under their Hands for that Purpose obtained; and in case the said Commissioners, or any Two of them, shall allot and order (which they are hereby impowered to do) the same Hedges, Thorns, Bushes, Shrubs, and Thorn Trees to go to the Person or Persons to whom the Land whereon the same shall grow shall be allotted, then such Hedges, Thorns, Bushes, Shrubs, and Bodies of Thorn Trees shall remain on the Land whereon they grew for the Benefit of the Person or Persons to whom the same Land shall be allotted, he and they making, within Fourteen Days after the same shall be demanded, such Satisfaction for the same, as the said Commissioners, or any Two of them, shall by their said Order appoint: But in case the Person or Persons to whom the Boundary Hedges aforesaid, or other Hedges, Thorns,
Bushes,

No Hedges,
&c. to be
taken away
till after the
Award made.

Bushes, Shrubs, or Bodies of Thorn Trees shall be allotted, shall omit or refuse within the Time aforesaid (after Demand made) to pay to the former Proprietor or Proprietors thereof the Money ordered to be paid to him or them for the same, then it shall be lawful for the former Proprietor or Proprietors thereof to enter on the Premises, and to cut 28 down, take, and carry away the same Hedges, Bushes, Thorns, Shrubs, or Thorn Trees, in such Manner as if no Order had been made concerning the same.

Proprietors
may place
Posts and
Rails.

Convenient
Gaps to be
left for a cer-
tain Time.

And be it further Enacted, That it shall and may be lawful to and for the respective Persons to whom any Shares and Allotments shall be assigned and allotted by virtue of this Act, from time to time and at all proper, seasonable, and convenient Times in the Year, after the said intended Division and Inclosure, to set and place Posts and Rails, or other Fences, on the Outsides of the Ditches bounding their respective Allotments, not exceeding Two Feet from such Ditches, for the better Preservation of their Quickset Hedges, and to take and carry away such Posts and Rails, or other Fences, at his, her, and their free Wills and Pleasures; and that convenient Gaps and Openings shall be left in the said Fences and Inclosures for the Space of Twelve Calendar Months next ensuing the Execution of the said Award or Instrument for the Passage of Cattle, Carts, and Carriages, in, by, and through the same, unless the several Persons interested therein shall agree that the same shall be sooner fenced in, made up, and inclosed, or unless the said Commissioners, or any Two of them, shall award to the contrary, and then for such Time only as they shall so award.

Power to ex-
change.

And be it further Enacted, That for the more convenient Situa- 29 tion and Disposition of the several Farms, Lands, and Estates of the several Freeholders, Land-owners, and Proprietors of Estates within the said Parish of *Woughton on the Green* aforesaid, every or any of them, upon the said intended Division and Inclosure, it shall and may be lawful to and for any of the said Freeholders, Owners, or Proprietors, his, her, or their Guardian or Guardians, Trustee or Trustees, or other Person or Persons acting as such, and also to Trustees of Liberties, and for the said *Thomas Troutbeck* and his Successors, Rectors of *Woughton on the Green* aforesaid, with the Consent of the Bishop of *Lincoln* for the Time being, to exchange all or any of his, her, or their Messuages, Tenements, Cottages, Old Inclosures, Tythes of Old Inclosures, Ancient Woods, or Wood Grounds, or any other Lands or Grounds within the Parish of *Woughton on the Green* aforesaid, so as all and every such Exchange or Exchanges be made by and with the Consent and Approbation of the said Commissioners, or any Two of them, to be ascertained, specified, and declared in the said Award or Instrument so directed to be made and executed as aforesaid, or in some Deed or Instrument to be inrolled as before-mentioned; and that

that all and every such Exchange and Exchanges to be made as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, notwithstanding any Will or Wills, Settlement or Settlements, Intail or Intails, Custom, Usage, or other Incumbrance heretofore made or affecting the same; and the Messuages, Cottages, Tenements, Old Inclosures, Ancient Woods, Wood Grounds, or Tythes issuing out of the said Old Inclosures, or other Lands and Grounds for which any shall be so as aforesaid exchanged, shall be subject and liable to such and the same Will and Wills, Settlement and Settlements, Use and Uses, and other Incumbrances, as the same Premises for which they shall be so exchanged was or were subject or liable to immediately before such Exchange or Exchanges was or were made.

And be it further Enacted, That all and every Lease and Leases upon Rack-rent now subsisting of all or any Part or Parts of the said common Fields, common Pastures, common Meadows, and commonable Grounds hereby intended to be divided and inclosed, or by virtue of this Act to be exchanged as aforesaid, and of all Right of Common in and upon the same, and all other Agreements for any Time or Term at Rack-rent, shall upon making the said Divisions and Allotments cease and be void, the respective Owners and Proprietors of the said common Fields, common Pastures, common Meadows, and commonable Grounds, so intended to be divided and inclosed as aforesaid, who have made or granted any such Lease or Leases, or Agreement or Agreements, making such satisfaction to such Lessee or Lessees, Tenant or Tenants, when required, as the said Commissioners, or any Two of them, shall ascertain, direct, or appoint as reasonable to be paid to such Lessee or Lessees, Tenant or Tenants, on account thereof, or as an Equivalent for the same.

Leases at
Rack-rent to
be vacated.

And whereas the poor Inhabitants of the said Parish have enjoyed the Privilege of cutting and taking to their Use the Furzes growing upon some Part of the Waste Lands by this Act directed to be divided and inclosed; **Be it further Enacted,** That the several Persons to and among whom the common Lands and Grounds shall be divided in pursuance of this Act shall yearly for ever hereafter, in the Month of *January*, deliver or cause to be delivered at the Church-yard Gate in *Woughton on the Green* aforesaid, a certain Number of Faggots, or an Equivalent for the same, as the said Commissioners, or any Two of them, shall think proper, for the Use of the Poor of the Parish of *Woughton on the Green* aforesaid, to be distributed amongst them by the Overseers of the Poor of the said Parish for the Time being, in such Manner and Proportion as the Inhabitants of the said Parish assembled in Vestry shall from time to time think proper.

Provision for
Firing for the
Poor.

proper and direct; and the said Commissioners, or any Two of them, shall have Power, and they are hereby authorized and directed to set down and express in Writing in the said Instrument or Award such Number of Faggots, or such Equivalent for the same, which shall yearly be provided by each of the Persons to whom any Part of the said common Lands and Grounds shall be by them allotted in pursuance of this Act; which Number shall be in proportion to each Person's Lands so to him or her allotted: And in case any of the said Parties, or their respective Heirs or Assigns, shall at any Time or Times hereafter refuse or neglect to deliver that Proportion of Faggots, or such Equivalent in lieu thereof, as the said Commissioners, or any Two of them, shall award to be yearly delivered within the Time and at the Place aforesaid, then and in every such Case the Person or Persons so refusing or neglecting shall, for such Proportion of Faggots, or such Equivalent for the same, not delivered according to the true Intent and Meaning of this Act, forfeit and pay the Sum of Ten Shillings to the Overseers of the Poor of the said Parish for the Time being, to be laid out in purchasing such Faggots for the Use of the Poor of the same Parish, to be levied by Warrant under the Hand and Seal of some Justice of the Peace for the said County of *Bucks*, directed to some Peace Officer of the said Parish of *Woughton on the Green* (Oath being first made before such Justice of the Non-delivery of such Faggots, or such Equivalent for the same) by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting, together with the Charges of such Distress and Sale.

Commissioners to direct the Course of Husbandry.

And be it further Enacted, That from the Time of passing this Act, until such Divisions, Partitions, and Allotments shall be made as aforesaid, the said Commissioners, or any Two of them, shall have the sole, intire, and absolute Management, Order, and Direction of all the Tillage, Fallow, and other Lands lying in the said common Fields, common Grounds, and commonable Lands so intended to be divided and inclosed as aforesaid, and shall order and cause the same to be stocked with such Cattle, and cropped or sowed with such Sort of Corn, Grain, and Grass Seeds, at the proportionable Expence of all the Proprietors, and to be kept, ordered, and continued in such Course of Husbandry, whether the same ought to be by the usual Course of Husbandry to lie Fallow or not, as the said Commissioners, or any Two of them, shall, by any Writing or Writings under their Hands, in that Behalf, order, direct, or appoint; any Usage or Custom of stocking with Cattle, sowing, cropping, or otherwise managing the said Tillage, Fallow, or other Lands, to the contrary notwithstanding: And that no Meadows, Pastures, or Fresh Grounds in the said common Fields and commonable Lands hereby intended to be divided and inclosed shall before that Time be ploughed, broke up,

34 up or converted into Tillage: And it shall be lawful for the said Commissioners, or any Two of them, at any Time hereafter, whenever they in their Discretion shall think convenient or necessary, by a Notice for that Purpose in Writing under their Hands, to be affixed on the Door of the Parish Church of *Woughton on the Green* aforesaid, to extinguish all Right of Common in and over the said open and common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed; and from and after the Time specified in such Notice so affixed, all Right of Common in and over the said open and common Fields, common Pastures, common Meadows, common Grounds, and commonable Lands hereby intended to be divided and inclosed, shall cease, and the same is hereby declared to be utterly extinguished; and in case any Person or Persons shall stock with Cattle the said Lands and Grounds hereby intended to be divided and inclosed in any other Manner than what the said Commissioners, or any Two of them, shall direct and order, or if after such Right of Common is extinguished by such Notice as aforesaid, any Person or Persons shall permit or suffer his, her, or their Cattle to depasture or feed on any Part of the said common Fields, common Grounds, and commonable Lands hereby intended to be divided and inclosed, then and in that Case it shall and may be lawful to and for any Proprietor or Proprietors, or any other Person or Persons whom the said Commissioners, or any Two of them, shall order and appoint, to seize and impound such Cattle then depasturing and feeding upon such Lands or Grounds, after such Right of Common shall be extinguished as aforesaid, and to detain and keep such Cattle until such Time as the Person or Persons so offending in either of the Cases aforesaid shall have paid to the Person or Persons impounding the same the penal Sum of Five Shillings for each of the Cattle so impounded; and in case the same shall not be paid before the next Meeting of the said Commissioners, or any Two of them, after such impounding as aforesaid, that then the said Commissioners, or any Two of them, are hereby authorized and required, upon Proof of such Offence or Offences having been committed, and Non-payment of the Penalty hereby imposed, and so often as the same shall be committed, by Warrant under their Hands and Seals, to cause such Penalty to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, together with the Costs and Charges attending such Sale, returning the Overplus (if any be).

36 And whereas several of the Owners and Proprietors of the commonable Lands and Grounds hereby intended to be divided and inclosed as aforesaid, his, her, or their Trustee or Trustees, Guardian or Guardians, may have Occasion to borrow Money to pay their respective Proportions of the Expences incident to and attending such Division and Inclosure, and the obtaining and passing this Act, and other

Power to borrow Money.

other necessary Expences attending the Execution thereof, and cannot by reason of some Settlement or Settlements already made of their respective Lands and Estates intended to be divided and inclosed, or some other legal Impediments, Incapacity, or Incumbrances respectively affecting the same, make an effectual Security thereof for the Money wanted to be borrowed and raised for the Purposes aforesaid; **Be it therefore further Enacted,** That it shall and may be lawful to and for the several Owners and Proprietors for the Time being of the Lands and Grounds intended to be divided and inclosed as aforesaid, and to and for the Husbands, Trustees, or Guardians of any of the said Owners or Proprietors thereof, and to and for all Persons acting as Trustees or Guardians of any of the said Proprietors, and to and for any of the said Proprietors being Tenants in Tail or for Life only (except the said *Thomas Troutbeck* and his Successors, Rectors as aforesaid) by and with the Consent of the said Commissioners, or any Two of them, testified in Writing under their Hands and Seals, from time to time to charge the Lands and Grounds which shall be assigned and allotted unto them the said Proprietors respectively, by virtue and in pursuance of this Act, with any Sum or Sums of Money for the Purposes before-mentioned, not exceeding Forty Shillings for each Acre; and for securing the Repayment of such Sums of Money, with Interest, to grant, mortgage, lease, or demise the Lands or Grounds, so to be charged, 37 unto such Person or Persons as shall advance and lend the same respectively, for any Term or Number of Years, so as such Grant or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered, when such Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be fully satisfied and paid, and so as in every such Grant or Demise which shall be made by any Person or Persons interested in or intitled to any such mortgaged Premises for the Term of their natural Lives only, or by his, her, or their Trustee or Trustees, Guardian or Guardians, there be contained a Covenant to pay and keep down the Interest of the said Money to be thereby respectively secured during his, her, or their respective Lives, so that no Person afterwards becoming possessed of such Lands or Grounds shall be subject or liable to pay any farther or larger Arrear of Interest than for One Year preceding the Time when the Title to such Possession shall accrue and commence; and every such Grant, Mortgage, Lease, or Demise of the said Grounds, Lands, and Premises, or any Part or Parts thereof, so to be made in pursuance of this Act, shall be good, valid, and effectual in the Law for the Purposes thereby intended, notwithstanding the Want of Title in the said Husbands, Trustees, or Guardians, or in the Persons acting as such, or in the Tenants in 38 Tail or for Life; any Settlement, Will, Trust, Use, Remainder, Limitation, or other Impediment or Incumbrance of or concerning the

the same Grounds, Lands, and Premises, or any Part or Parcel thereof, then in being or capable of taking Effect to the contrary.

And be it further Enacted, That when and so often as any One or more of the Commissioners appointed by this Act, or to be chosen in Manner herein after-mentioned, shall die or refuse to act, the surviving acting Commissioner or Commissioners shall from time to time, within One Calendar Month after the Death or Refusal of such Commissioner or Commissioners to act, by Writing under his or their Hand and Seal or Hands and Seals, appoint One or more Commissioner or Commissioners, not interested in the said intended Division and Inclosure, in the Stead and Place of each and every Commissioner or Commissioners so dying or refusing to act as aforesaid; and every such Commissioner so appointed shall have the like Power and Authority, by virtue of this Act, as the Commissioner in whose Place he shall succeed was vested with: Provided that Notice be given in the Parish Church of *Woughton on the Green* aforesaid of the Time and Place of Meeting to appoint such Commissioner at least Six Days before every such Meeting.

New Commissioners to be chosen.

And be it further Enacted, That the said Commissioners, or any Two of them, shall and they are hereby required to cause publick Notice to be given in the Parish Church of *Woughton on the Green* aforesaid, upon some *Sunday* immediately after Divine Service, of the Time and Place of the First and every subsequent Meeting of the said Commissioners for the executing the Powers hereby vested in them at least Six Days before every such Meeting (Meetings by Adjournment only excepted).

Giving Notice of Meetings.

And be it further Enacted, That the Charges and Expences incident to and attending the Obtaining and Passing this Act, and all the Costs and Charges attending the Execution of the same, and the Costs and Charges of surveying and admeasuring, dividing and allotting the said common Fields, common Pastures, common Meadows, and commonable Grounds so intended to be divided and inclosed as aforesaid, and of the preparing and inrolling the said Award, and all the Charges and Expences of the said Commissioners, and of the several Persons employed by them, either before or after the executing the said Award, in and about the said Premises, shall be paid, borne, and defrayed by the Owners and Proprietors interested of and in the said Lands and Grounds so intended to be divided and inclosed as aforesaid (other than and except the said *Thomas Troutbeck*, Rector as aforesaid, and his Successors) by an equal Pound Rate, according to the Value of the Lands and Grounds each Person shall have allotted to him, her, or them by virtue of this Act, to be settled, adjusted, and

For paying the Expences of this Act.

determined by the said Commissioners, or any Two of them; and in case any of the Persons aforesaid shall refuse or neglect to pay his, her, or their Share or Proportion, Shares or Proportions of such Costs, Charges, or Expences within the Time limited by the said Commissioners, or any Two of them, to such Person or Persons as they shall appoint to receive the same, the said Commissioners, or any Two of them, shall and may and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to appoint or empower any Person or Persons, whomsoever to enter into and upon the Lands, Grounds, and Premises so allotted and awarded to such Person or Persons for refusing to pay as aforesaid, and to levy the same by Distress and Sale of the Goods and Chattels found upon the same Premises, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of taking and making such Distress and Sale, or otherwise to receive and take the Rents, Issues, and Profits thereof respectively, until thereby or therewith the Share or Shares, Proportion or Proportions of the said Costs and Charges, and also all the Costs, Charges, and Expences occasioned by and attending such Entry upon and Perception of the Rents and Profits of the same Premises shall respectively be fully paid and satisfied.

Persons aggrieved may appeal to the Quarter-Sessions.

And be it further Enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act (except in such Cases where the Orders and Determinations of the said Commissioners, or any Two of them, are directed to be final, binding, and conclusive upon all Parties) he, she, or they may appeal to the General Quarter-Sessions of the Peace which shall be held for the County of *Bucks*, within Six Calendar Months next after the Cause of Complaint shall have arisen; and the Justices, in their said General Quarter-Sessions, are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them in their Discretion shall seem reasonable; and by their Order or Warrant to levy the Costs which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale; which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere.

Nothing in this Act to prejudice the

And be it further Enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right Title, or Interest of any Lord

42 Lord or Lords of the Manor or Lordship of *Woughton on the Green* Right of the Lord of the Manor.
 aforesaid, within the Jurisdiction and Limits whereof the said open
 and common Fields, common Meadows, common Pastures, common
 Grounds, and commonable Lands hereby directed to be divided and
 inclosed are lying and being, or of their Heirs or Assigns, of, in, or
 to the Seigniority, Royalties, Rights, and Services, incident or belong-
 ing to the said Manor or Lordship, but that such Lord or Lords for
 the Time being, and all and every other Person and Persons claim-
 ing by, from, or under, or in Trust for him or them, shall and may
 at all Times for ever hereafter hold and enjoy all Rents, Chief Rents,
 Quit Rents, Services, Rights, Royalties, Courts, Perquisites and Pro-
 fits of Courts, and all other Privileges and Jurisdictions to the said
 Manor or Lordship, or to the Lord or Lords thereof, or to any claim-
 ing under him or them, incident or appendant, belonging or apper-
 taining (other than and except such Common of Pasture, or other
 Common Rights, as can or may be claimed, or belonging to him or
 them as Owner or Owners of Lands or Tenements in the said Manor
 or Parish) in as full, ample, and beneficial Manner, to all Intents and
 Purposes, as he or they ought or might have held and enjoyed the
 same before the Passing of this Act, or in case the same had never
 been made.

43 **Saving always** to the KING's most Excellent MAJESTY, his General Sav-
 ing.
 Heirs and Successors, and to all and every Person and Persons, Bodies
 Politick and Corporate, his, her, and their Heirs, Successors, Execu-
 tors, and Administrators, all such Estate, Right, Title, Interest, Claim,
 and Demand (other than those meant or intended to be barred and
 destroyed by this Act) which they, every or any of them, enjoyed, or
 had in or upon the said common Fields, common Grounds, common-
 able Lands, and Premises so intended to be divided and inclosed as
 aforesaid, before the Passing of this Act, or in case the same had not
 been made.

And be it further enacted, That nothing in this Act contained
 shall prejudice, lessen, or diminish the Right, Title, or Interest of any
 Lord

A C T

F O R

Dividing and Inclosing the Open
and Common Fields, Common
Meadows, Common Pastures,
and other Commonable Lands
and Grounds in the Parish of
Woughton on the Green, in the
County of Bucks.

[1768.]

